

be clearly proven that the lands whereon the trespass shall be alleged to have been done or committed, were not enclosed according to the provisions of section 128 of this sub-title of this article.

FISH.

1880, ch. 322

133. It shall not be lawful for any person to whip or beat the water in the Antietam creek or its tributary streams, Beaver creek, Long Meadow Branch, and Little Antietam, with poles, sticks or other things, for the purpose of driving the fish into nets, seines, fish baskets or other snares, or to erect any fish pot, or to fish with any net, basket, gig, trot line, or in any other manner except with the angling rod and dip nets.

Ibid.

134. Any person offending against the provisions of the preceding section shall be arrested and taken before a justice of the peace, and on conviction shall forfeit and pay for each offence, and for each month a fish pot may be suffered to remain in any of the streams aforesaid, a fine not exceeding the sum of twenty dollars; and in default of payment of such fine, shall be committed to the county jail for a term not exceeding sixty days; the said fine to be recovered in the name of the county commissioners, before a justice of the peace, one-half to be paid to the informer and the other half to the school fund of said county; and any person feeling himself aggrieved by the judgment rendered by any justice of the peace, in proceedings under the provisions of this and the preceding section, shall have the right to appeal from said judgment to the circuit court for Washington county.

P L. L., (1860,) art. 21, sec. 105.

135. Every justice of the peace shall annually account with the county commissioners, at their meeting to make the county levy, for all fines received under this sub-title of this article, under the penalty of twenty dollars for each fine by him imposed or received.

1898, ch. 543.

136. It shall not be lawful for any person to catch or kill, or attempt to catch or kill, in the waters of Washington county, or